

Lincoln



Nebraska's Capital City

October 31, 2002

Mayor Wesely and City Council
City of Lincoln
City County Building
Lincoln, NE

Mayor Wesely and Members of the City Council:

An investigation has been made regarding the application of DLP Inc., d.b.a. Tam O'Shanter's, 105 South 25th Street requesting a class c liquor license.

Diona Peithman, owner has requested that she be approved as the manager of the liquor license.

Background information on the applicant is as follows:

Diona Peithman was born in Lincoln, Nebraska. She attended the University of Texas graduating in 1991.

Diona Peithman employment history is as follows:

2001 – Present	Owner, DionaSource	Lincoln, NE.
2000 – 2001	Analyst, iUniverse	Lincoln, NE.
2001	Manager, Talent Point	Lincoln, NE
1999 – 2000	Engincer, BancTec	Dallas, TX.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

THOMAS K. CASADY, Chief of Police



Police Department

575 South 10th Street / Lincoln, Nebraska 68508 / Phone: 402-441-7204 / Fax: 402-441-8492 / Website: www.ci.lincoln.ne.us

A nationally accredited law enforcement agency



Liquor License Investigation

Business (DBA) Tam O'Shanter

Manager _____ Owner _____ Other _____

Name: Diana Pethman

US Citizen ? ☒ Yes ☐ No

Has applicant ever been cited for liquor law violations ? ☒ No ☐ Yes
Explain _____

Does applicant have an interest in another liquor license ? ☒ No ☐ Yes
Explain _____

Is spouse qualified to hold a license ? Yes ☐ No ☒ N/A

How is applicant if not an owner to be paid ? Salary _____ Hourly N/A

How many hours will applicant be at the establishment ? 80

Any other employment ? ☒ No ☐ Yes, explain _____

Any previous experience with a liquor license? Yes ☐ No ☒

Any criminal convictions ? ☒ No ☐ Yes
Comments _____

Is applicant a property owner in Lincoln ? ☒ Yes ☐ No

Is applicant involved in any civil litigation ? ☐ No ☒ Yes
Comments Divorce Pending

☒ Photo ☒ Records Check ☒ References

Comments _____

Interview Date 10/30/02

Liquor License Business Report / Completed by Inv Fosler Date: _____

DBA: TAM O SHANTER

ADDRESS 105TH SO 25TH PHONE 474-2394

TYPE OF INVESTIGATION:

PURCHASE UPGRADE EXPANSION NEW

OWNER MANAGER OTHER

TYPE OF BUSINESS REST / BAR

CLASS: A B C D I J K CATERING OTHER _____

OWNERSHIP CORPORATION PARTNERSHIP INDIVIDUAL

PURCHASE PRICE \$1100⁰⁰ PROPERTY EQUIPMENT VALUE _____

AMOUNT FINANCED \$20,000 SOURCE _____

COLLATERAL _____ COSIGNER(S) _____

LEASE AGREEMENT 1 yr \$2000⁰⁰

EST INCOME %FOOD 30 %LIQUOR 70

COMMERCIAL INDUSTRIAL RESIDENTIAL

TRAFFIC HEAVY PARKING off-street

READY FOR OPERATION: YES NO, EST DATE 10/2002

FOOD SERVICE Full service # OF EMPLOYEES F/T 2 P/T 10-15

DOES LICENSE COMPLY WITH LEGAL DISTANCES: YES

NO _____

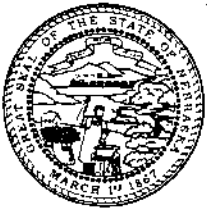
EST SEATING UNKNOWN EST # DAILY CUSTOMERS UNKNOWN

HOURS OF OPERATION M-F 2pm - 1am 7 days SAT 12-1pm SUN 2-1pm

HUMAN RIGHTS COMMISSION CHECKED YES NO N/A

STATE OF NEBRASKA

Ptt: Nov 18, 02



Mike Johanns
Governor

October 23, 2002

Class C #57714

City Clerk of Lincoln
City/County Building
555 S 10 Street
Lincoln, NE 68508

NEBRASKA LIQUOR CONTROL COMMISSION

Forrest D. Chapman

Executive Director

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814

TRS USER 300 933-7352 (TTY)

42-123380
71

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose **NOT** to make a recommendation of approval or denial to our Commission.

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- 1) There is a recommendation of denial from the local governing body.
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

PLEASE NOTE...A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS; AND, A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

Jackie B. Matulka
Licensing Division

Enclosures
Rhonda R. Flower
Commissioner

Bob Logsdon
Chairman

R.L. (Dick) Coyne
Commissioner

An Equal Opportunity/Affirmative Action Employer

Printed with soy ink on recycled paper

FORM 35-4001
REV 12 99

FILED
CITY CLERK'S OFFICE
CITY OF LINCOLN
NEBRASKA
OCT 24 PM 1 06

APPLICATION FOR LICENSE

Nebraska Liquor Control Commission
PO Box 95046, 301 Centennial Mall South
Lincoln, NE 68509-5046

<http://www.nol.org/home/NLCC/>
Phone: (402) 471-2571
Fax: (402) 471-2814

Local-jbm

RECEIVED
JUL 18 2002
NEBRASKA LIQUOR
CONTROL COMMISSION

TAA only good until 10-31-02

INSTRUCTIONS: Include: 1. Applicable fees payable to Liquor Control Commission 2. Copy of birth certificate or naturalization papers proving U.S. citizenship for each individual and spouse named on application (not required of corporations or spouses) who file an affidavit of no interest with application. Commission form 4178 3. Corporations must include copy of articles of incorporation as filed with the Secretary of States office in the state of Nebraska 4. Commission checklist, form 4251 5. Fingerprint cards and processing fees (are required of individuals, all partners and spouses. Corporate applicants must file for CEO/Manager & stockholders/member holding over 25% stock/interest. 6. All applications must be typewritten or printed clearly. 7. Submit in Triplicate

CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND LIST OF FEES FOR EACH

Class of License (Check applicable class)	Registration Fee	License Fees	Corporate Surety Bond
<input type="checkbox"/> A Beer, On Sale Only – Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> F Beer, On Sale Only – Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> B Beer, Off Sale Only – Indicate Inside or Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> J Wine, Beer, On Sale Only – Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> I Spirits, Wine, Beer, On Sale Only – Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> D Spirits, Wine, Beer, Off Sale Only – Inside Corporate Limits	\$45.00	\$150.00	exempt
<input type="checkbox"/> DI Spirits, Wine, Beer, Off Sale only – within extraterritorial zoning jurisdiction	\$45.00	\$150.00	exempt
<input checked="" type="checkbox"/> C Spirits, Wine, Beer On & Off Sale – Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> M Bottle Club (Spirits, Wine, Beer, on Sale)	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> H Nonprofit Corporation	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> K Wine Only, Off Sale	\$45.00	Collected at Local Level	exempt
<input type="checkbox"/> O Boat	\$45.00	\$ 50.00	exempt
<input type="checkbox"/> V Manufacturer of Beer, Wine & Distilled Spirits	\$45.00	Varies \$100 to \$1,000	\$10,000 min.
<input type="checkbox"/> X Wholesale Liquor	\$45.00	\$500.00	\$ 5,000 min.
<input type="checkbox"/> W Wholesale Beer	\$45.00	\$250.00	\$ 5,000 min.
<input type="checkbox"/> Y Farm Winery	\$45.00	\$250.00	\$ 1,000 min.
<input type="checkbox"/> L Craft Brewery (Brew Pub)	\$45.00	\$250.00	\$ 1,000 min.

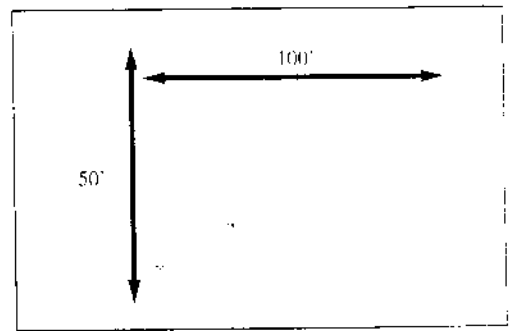
TYPE OF APPLICATION	CORPORATE SURETY BOND INFORMATION
<p>Type of application being applied for (place appropriate number in box)</p> <div style="border: 1px solid black; padding: 5px; display: inline-block; width: 40px; text-align: center; font-size: 24px;">3</div> <p>1= Individual License requires Form 1 to be attached. 2= Partnership License requires Form 2 to be attached. 3= Corporate License requires Form 3 and 4 and Manager Application be attached.</p>	<p>Bond Company – for Classes L V W X Y only</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div> <p>Start Date Month/Day/Year Bond Number</p> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; width: 200px; height: 30px;"></div> <div style="border: 1px solid black; width: 200px; height: 30px;"></div> </div>

SECTION A – LOCATION INFORMATION – Must be completed by all applicants

Trade Name (name of business) <i>TAM O SHANTER</i>			Telephone Number at premise to be licensed <i>402-474-2394</i>		
1) Street Address of Proposed licensed premise <i>105 So. 25TH</i>			2) Mailing Address for receipt of Liquor Control Commission mailings <i>917 ELMWOOD AVE. mail to corp</i>		
City <i>LINCOLN</i>	County <i>LANCASTER</i>	Zip Code <i>68510</i>	City <i>LINCOLN</i>	County <i>LANCASTER</i>	Zip Code <i>68510</i>

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations where only a portion of the entire bldg. is to be covered by the license. No blue prints will be accepted. Be sure to indicate the direction North and number of floors of the building.

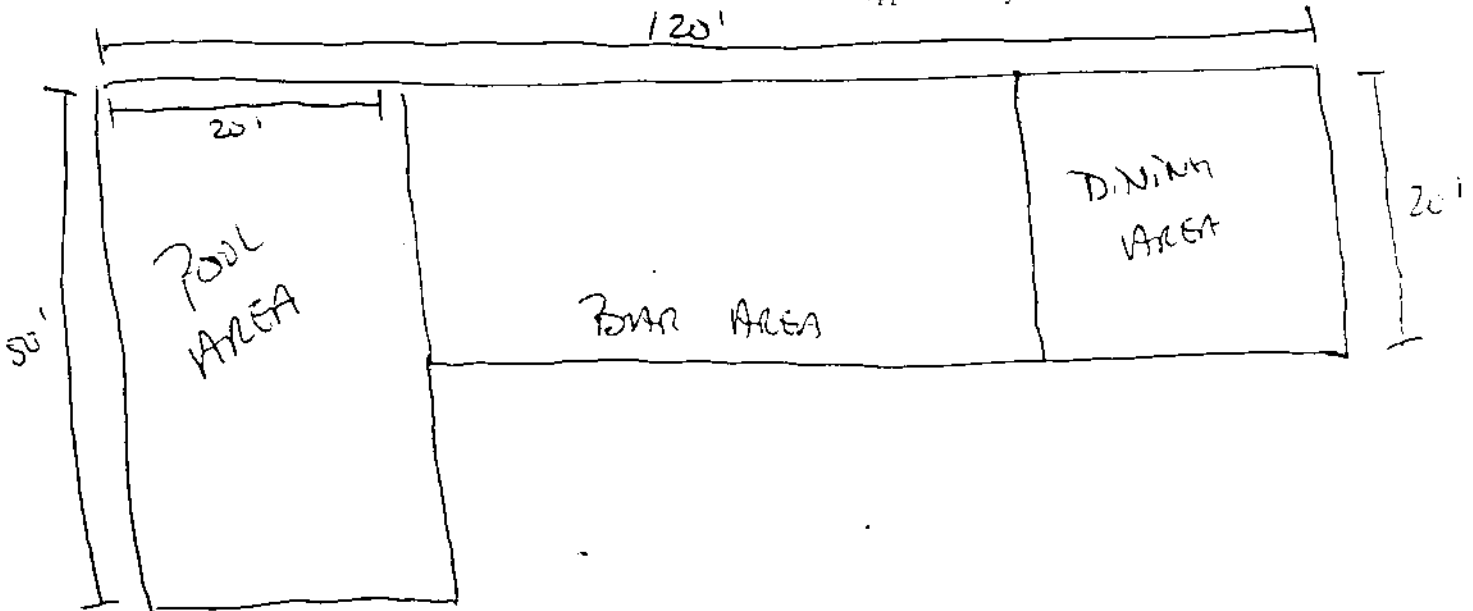


NORTH SECTION OF MAIN FLOOR APPROX. 100' X 20'

Basement Also 100' X 20'

SOUTH SECTION is Approx. 20' X 50' w/ no Basement

Example: East portion approximately 50' x 100' of main floor of 3 story building plus basement approximately 30' x 50' at the East end.



SECTION B

OTHER INFORMATION REQUIRED

	Yes	No	Explanation/Comments
<p>1. READ CAREFULLY. Answer completely and accurately.</p> <p>Has anyone who is a party to this application, or their spouse, <u>ever</u> been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor or violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>1992 - DENTON COUNTY - Forgery - DAVID VANOSTRADE (signing non-participation)</p>

	Yes	No	Explanation/Comments
2. Are you buying the business and/or assets of a licensee? If yes, submit a copy of the sales agreement with a listing of assets being acquired including liquor inventory (name brand and container size required).	✓		49387
3. Are you filing a temporary agency agreement, Commission form 4231, whereby current licensee allows you to operate on their license? If yes, attach copy.	✓		
4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.		✓	
5. Will any person or entity other than licensee be entitled to a share of the profits of the establishment? If yes, explain.		✓	
6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others? If yes, list such items and the owner.		✓	
7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business? If yes, explain?		✓	
8. Are the premises to be licensed within 150 ft. of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 ft. of a college or university campus? If yes, list the name of such institution and where it is located in relation to the premises. Per Sec. §53-177.		✓	
9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the persons exact duties.		✓	
10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the person(s) who will be authorized to write checks and/or make withdrawals on accounts at such institutions.			UNION Bank - Diana Pettibone
11. List all past and present liquor licenses held by any person named in this application. Include license holder name, location of license and license number. Also list reasons for termination of any licenses previously held.			N/A
12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations.			Diana L. Pettibone 40+ hrs/wk
13. List the training and experience of the person listed in #12 above in connection with selling and/or serving alcohol products.			Bachelors Degree - Business Professional Career Brewing Experience
14. If the property for which this license is sought is owned, submit a copy of the deed; or proof of ownership. If leased submit a copy of the lease covering the entire license year. (Documents must show title or lease held interest in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed).			Leased Lease Expires 10-31-03
14. When do you intend to open for business?			10/8/2002

16. List the principal residence for the past 10 years for all persons required to sign application. If necessary attach a separate sheet.

NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
DIDNA PEITHMAN			
917 ELMWOOD AVE	1999	CURRENT	LINCOLN, NE
SILVER VERDE VALLEY LN, #146	1995	1999	DALLAS, TX
19251 PRESTON RD, #2005	1993	1995	DALLAS, TX
1426 PORTS E. CHURCH DR.	1987	1992	DALLAS, TX

The undersigned applicant(s) hereby consent(s) to a background investigation and release of present & future records of every kind and description including police records, tax records (State and Federal), bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouses(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

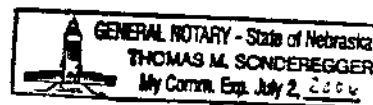
Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public. Must be signed by applicant and spouse; if a partnership, all partners and spouses must sign and corporation, all stockholders/members (holding more than 25% of the stock or interest), officers, directors and spouses must sign. Full names only, initials not acceptable.

X

sign here	<u>DIDNA PEITHMAN, PRES. D.P. INC.</u>	sign here	_____
sign here	_____	sign here	_____
sign here	_____	sign here	_____
sign here	_____	sign here	_____

Subscribed in my presence and sworn to before me this 3rd day of October, 2002



(SEAL)

sign here

Thomas M. Sonderegger
Notary Public Signature

In compliance with ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

16. List the principal residence for the past 10 years for all persons required to sign application. If necessary attach a separate sheet.			
NAME	FROM YEAR	TO YEAR	RESIDENCE (CITY, STATE)
DADAM PETERSON			
917 Elmwood Ave	1999	CURRENT	Lincoln, NE
5100 Verde Valley Ln, #146	1995	1999	Dallas, TX
19251 Preston Rd, #2005	1993	1995	Dallas, TX
1028 Port C. CHU Dr	1987	1992	Dallas, TX

The undersigned applicant(s) hereby consent(s) to a background investigation and release of present & future records of every kind and description including police records, tax records, State and Federal, bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that this license is based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public. Must be signed by applicant and spouse; if a partnership, all partners and spouses must sign and corporation, all stockholders/members (holding more than 25% of the stock or interest), officers, directors and spouses must sign. Full names only; initials not acceptable.

sign here Dion R. Hansen, PRESIDENT sign here _____
 sign here David Van sign here _____
 sign here _____ sign here _____
 sign here _____ sign here _____

Subscribed in my presence and sworn to before me this 3rd day of October, 2002

In compliance with ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

(SEAL)

GENERAL NOTARY - STATE OF NEBRASKA
 THOMAS M. SCHNEIDER
 My Comm. Exp. July 2, 2003

sign here Thomas M. Schneider
 Notary Public Signature

CLAUDIA McGEHEE
 NOTARY PUBLIC
 STATE OF OKLAHOMA
 My Appt. Expires 12/24/2005

Claudia McGehee
 99007850

See Managers App
 for Spouse's Residence
 for the past 10 years

- On October 17, 2002, Seller and Buyer entered into a contract for sale of the business known as TAM O'SHANTER, which contract is contingent upon Buyer receiving approval for a liquor license to operate the business.
- Seller and Buyer agree to allow Buyer to operate the business, subject to approval by the Liquor Control Commission, for a period not to exceed 120 days subsequent to October 17, 2002, the date of filing the application with the Liquor Control Commission.
- Seller will maintain a possessory interest in the property in the form of a lease, use permit or license;
- Buyer will at all times be the agent of the Seller, but Buyer will be completely and totally responsible for the operation of the business and for all liability associated with the operation of the business during the time when Buyer is acting as Seller's agent; it is specifically understood that Seller shall have no liability for the operation of the business during this period of time, and Buyer agrees to indemnify and hold Seller harmless from any claims arising during this period of operation; however, it is understood that the liquor license remains in the name of the Seller and Seller will be responsible for all violations of the liquor laws of the State of Nebraska until such time as Seller's license is canceled;
- At time of closing, certain funds will be held in escrow pending issuance of the license.

Financial Institution: Name, Address, Account number of _____ where escrow account is being held
UNION BANK, 1944 O Street, LINCOLN, NE 68510
Acct # 5091312

- All profits derived from the operation of the business by the buyer, after payment of bills and salaries, shall be paid to the same escrow agent to be held until the issuance of the license, it being specifically understood that the Buyer shall receive no profits from the operation of the business until the liquor license has been issued to Buyer, but shall have the right to direct the investment of profit funds by escrow agent.
- This agreement constitutes the entire and complete understanding of all parties with regard to the agency relationship, and is binding upon the heirs, personal representatives and successors of the parties.
- It is hereby understood that in the event the Commission denies this application, this Temporary Agency Agreement is null and void the date of the order.

Signature of Seller Sharr H. Elder

Signature of Seller _____

Signature of Buyer Diana Zentman, PRES. DLP, Inc.

Signature of Buyer _____

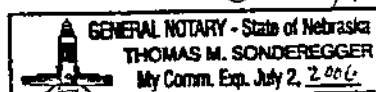
Dated this 3 day of October, 2002.

STATE OF NEBRASKA)
) ss
 COUNTY OF)

The above and foregoing Agency Agreement was acknowledged before me this 3 day of October, 2002, by Sharr Elder, as Seller, _____, as Seller.

The above and foregoing Agency Agreement was acknowledged before me this 3 day of October, 2002, by _____, as Buyer, Diana Zentman, PRES. DLP, Inc., as Buyer.

Signature & Seal of Notary Public Thomas M. Sonderegger



UNION BANK & TRUST COMPANY
PO Box 82535
Lincoln, NE 68501-2535

ACCOUNT
NUMBER 5091312

ACCOUNT OWNER(S) NAME & ADDRESS

DLP INC
DBA TAM O SHANTER

105 S 25TH ST
LINCOLN NE 68510

OWNERSHIP OF ACCOUNT - PERSONAL (Select One and Initial):

☐ Single-Party Account ☐ Trust-Separate Agreement
☐ Multiple-Party Account
☐ Other

RIGHTS AT DEATH (Select One And Initial):

☐ Single-Party Account
☐ Multiple-Party Account With Right of Survivorship
☐ Multiple-Party Account Without Right of Survivorship
☐ Single-Party Account With Pay On Death
☐ Multiple-Party Account With Right of Survivorship and Pay On Death

PAY-ON-DEATH BENEFICIARIES: To Add Pay-On-Death Beneficiaries Name One or More:

NAME TIN

☐ NEW ☒ EXISTING

TYPE OF
ACCOUNT

☒ CHECKING ☐ SAVINGS
☐ MONEY MARKET ☐ CERTIFICATE OF DEPOSIT
☐ NOW ☐

Account Name: BASIC BUSINESS

☐ This is a Temporary account agreement.

Number of signatures required for withdrawal 1

FACSIMILE SIGNATURE(S) ALLOWED? ☐ YES ☒ NO

[X]

SIGNATURE(S) - THE UNDERSIGNED AGREE(S) TO THE TERMS
STATED ON PAGES 1 AND 2 OF THIS FORM, AND
ACKNOWLEDGE(S) RECEIPT OF A COMPLETED COPY ON TODAY'S
DATE. THE UNDERSIGNED ALSO ACKNOWLEDGE(S) RECEIPT OF A
COPY OF AND AGREE(S) TO THE TERMS OF THE FOLLOWING
DISCLOSURE(S):

☐ Electronic Funds Transfer Disclosure ☒ Funds Availability Disclosure
☐ Truth in Savings Disclosure ☒ Schedule of Fees &

(1):

[X]
DIONA PEITHMAN

I.D. # _____ D.O.B. _____

(2):

[X]
SHARON ELDER

I.D. # _____ D.O.B. _____

(3):

[X]
I.D. # _____ D.O.B. _____

(4):

[X]
I.D. # _____ D.O.B. _____

AGENCY (POWER OF ATTORNEY) DESIGNATION (Optional): To Add
Agency Designation To Account. Name One or More Agents:

(Select One and Initial):

☐ Agency Designation Survives Disability or Incapacity of Parties
☐ Agency Designation Terminates on Disability or Incapacity of Parties

OWNERSHIP OF ACCOUNT - BUSINESS PURPOSE

☐ SOLE PROPRIETORSHIP ☐ PARTNERSHIP
☒ CORPORATION: ☒ FOR PROFIT ☐ NOT FOR PROFIT
☐ LIMITED LIABILITY COMPANY
☐

BUSINESS:

COUNTY & STATE
OF ORGANIZATION:

AUTHORIZATION DATED:

DATE OPENED 10/11/2002 BY TMS/785

INITIAL DEPOSIT \$ 150.00

☐ CASH ☐ CHECK ☐

HOME TELEPHONE # _____

BUSINESS PHONE # _____

DRIVER'S LICENSE # _____

EMPLOYER _____

MOTHER'S MAIDEN NAME _____

Name and address of someone who will always know your location: _____

BACKUP WITHHOLDING CERTIFICATIONS

TIN: _____

☒ TAXPAYER I.D. NUMBER - The Taxpayer Identification Number
shown above (TIN) is my correct taxpayer identification number.

☐ BACKUP WITHHOLDING - I am not subject to backup
withholding either because I have not been notified that I am
subject to backup withholding as a result of a failure to report all
interest or dividends, or the Internal Revenue Service has notified
me that I am no longer subject to backup withholding.

☒ EXEMPT RECIPIENTS - I am an exempt recipient under the
Internal Revenue Service Regulations.

SIGNATURE: I certify under penalties of perjury the statements
checked in this section.

[Signature]

October 17, 2002

DLP INC

(Date)

3. Have you or your spouse ever made a compromise settlement for violation of such laws?
☐ YES ☒ NO

4. Do you, as a manager, have all the qualifications required by any person entitled to hold a Nebraska Liquor License?
Nebraska Liquor Control Act (§§3-131.01)
☐ YES ☒ NO

5. Have you filed fingerprint cards and PROPER FEES (if check, make out to the NE State Patrol), with this application?
☐ YES ☒ NO

APPLICANT CITY & STATE	YEAR FROM TO	SPOUSE CITY & STATE	YEAR FROM TO
Diana L. Peithman		David VanNostrand	
917 Glenwood Ave, Lincoln, NE	1999 current		
5800 Verde View, # 146, Omaha	1995 1999		
19251 Center Rd, # 2005, Omaha	1993 1995		
1490 West Duluth Dr, Omaha	1987 1992		

YEAR FROM TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
1991 current	Diana Source	SELF	(402) 742-6111
1990 1991	University	Pete Tompkins	

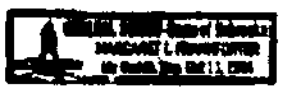
COUNTY OF NEBRASKA)
COUNTY OF) SS

I, the undersigned, being duly sworn upon oath, depose and state that the undersigned is the applicant and/or spouse of applicant who makes the above statements, that said application has been read and that the undersigned and all statements contained therein are true. If any false statement is made in any part of this application, the undersigned shall be deemed guilty of perjury and subject to prosecution provided by law. (Sec. §33-131.01) Nebraska Liquor Control Act.

I, the undersigned, hereby consent to an investigation of his/her background including all records of every kind and description including police records, and records of any and all bank or lending institution records, and said applicant and spouse waive any right or claims of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or obtaining said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly in any participation may be affected.

I, the undersigned, understand and acknowledge that any license issued, based on the information submitted in this application, is subject to revocation if the information contained herein is false and inaccurate.

Diana Peithman, PLS, D.P. TAX NEBRASKA
Signature of Applicant 11/14/02 142220233
Signature of Spouse of Applicant
18th 19th
October 2002
Margaret A. Fendler Penny R. Campbell
Notary Public & Seal Notary Signature & Seal



COMM.# 02011214
EXP. 07-02-2006

FORM 11-001
REV. 01-00

Corporation/LLC Application for License - Form 3
Nebraska Liquor Control Commission

Is this Corporation/LLC controlled by another Corporation? ☐ YES ☒ NO

Name of Control Corporation

IF YES, LIST EACH STOCKHOLDER/MEMBER OWNING MORE THAN 25% stock/interest in that corporation/LLC. Any applicant who has a Corporation as a shareholder MUST file an organizational chart listing all shareholders and/or corporations owning more than 25% stock and listing of the percentage of stock owned

Please indicate below your corporate tax year with the IRS

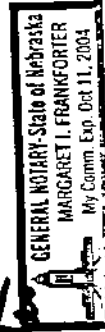
Starting Date: Jan. 31 Ending Date: Dec. 31

STATE OF Nebraska

Lancaster County

)
)
) ss.
)
)

Margaret J. Frankforter
Notary Public Signature & Seal



By Daniel Robinson, P.C.S. D.P.I.K.
PRESIDENT/MEMBER

SECRETARY/MEMBER

In Compliance with ADA, this form is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format

Corporation/LLC Application for License - Form 3

Nebraska Liquor Control Commission

INSTRUCTIONS:

- 1) Application and application for manager must be typewritten and submitted in triplicate
- 2) Fingerprint cards (2 cards per person) must be submitted for: a) each stockholder owning over 25% of the stock, b) chief executive officer, c) proposed manager and d) all spouses
- 3) Information regarding spouses must be completed

RECEIVED
OCT 18 2002
NEBRASKA LIQUOR
CONTROL COMMISSION

Name of Corporation That Will Hold License. Attach copy of Articles of Incorporation DLP, INC.			Total Number of Shares (if corporation) 5,000	
Corporate Street Address (1) 917 Elmwood Ave		Mailing address for receipt of Liquor Control Commission Mailings 917 Elmwood Ave		Corporate Telephone Number (402) 742-5846
City Lincoln	County LANCASTER	State NE	Zip Code 68510	
Name of Registered Agent DIONA L. PEITHMAN		Name of Proposed Manager DIONA L. PEITHMAN		
IN THIS SECTION LIST THE NAME OF THE CHIEF EXECUTIVE OFFICER				
Name DIONA L. PEITHMAN		Title OWNER		Date of Birth
Home Address (1) 917 Elmwood Ave		Social Security Number 		
City Lincoln		State NE	Zip Code 68510	Home Telephone Number (402) 742-5846

Corporation/LLC Application for License - Form 3

PRINCIPLE OFFICERS, DIRECTORS, STOCKHOLDERS, MEMBERS AND SPOUSES

Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Number	Date of Birth	Title	Number of Shares/%
NAME <u>DIONA L. PETITMAN</u>			OWNER	100%
Spouse Name <u>DAVID L. VANNOSTRAAN</u>			SPOUSE	0%
NAME				
Spouse Name				
NAME				
Spouse Name				
NAME				
Spouse Name				
NAME				
Spouse Name				
NAME				
Spouse Name				

(If Necessary, Continue on Separate Sheet)

Spouse of
applicant

NEBRASKA LIQUOR CONTROL COMMISSION
AFFIDAVIT OF NON PARTICIPATION

The undersigned individual acknowledges that he/she will have no interest, directly or indirectly, in the operation or profit of the business, as prescribed in Section §53-125(13) of the Liquor Control Act. Such individual shall not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices, represent themselves as owner or in any way participate in the day to day operations in any capacity. Undersigned will also be waived of filing fingerprint cards, however, has disclosed any violation(s) on application.

X *David [Signature]*

Signature of Spouse

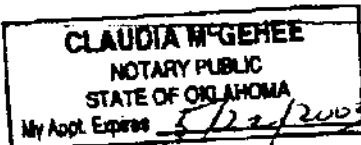
RECEIVED

OCT 18 2002

NEBRASKA LIQUOR
CONTROL COMMISSION

SUBSCRIBED in my presence and sworn to before me this 16th day of

OCT 2002



Claudia McGehee
Signature of Notary Public

99007850

The licensee/applicant understands that he/she is responsible for compliance with the conditions set out above, and that if such terms are violated, the Commission may cancel or revoke the license.

Diona L. Pettiman, PRO DLP, INC. DIONA L. PETTIMAN

Signature of Licensee/Applicant:

Print Name of Licensee/Applicant

SUBSCRIBED in my presence and sworn to before me this 18th day of
October 2002

Margaret L. Frankforter
Signature of Notary Public



FORM 35-4175
REV 2001

Application for Corporate Manager

Must Be A Nebraska Resident

Please submit in Triplicate

Return to: Nebraska Liquor Control Commission, PO Box 95046

301 Centennial Mall So., Lincoln NE 68509

Phone: (402) 471-2571 Fax: (402) 471-2814 Web address: <http://www.nol.org/home/NLCC/>

RECEIVED
OCT 20 2002

LIQUOR LICENSE INFORMATION

NAME OF LICENSED CORPORATION DLP, INC.		CLASS & LICENSE NUMBER C-	
TRADE NAME OF LICENSED PREMISE TAM 'O' SHANTER			
STREET ADDRESS OF LICENSED PREMISE 105 So. 25 TH	CITY LINCOLN	COUNTY LANCASTER	ZIP CODE 68510

On behalf of the corporation, I designate this individual as corporate manager.

Signature of Corporate President/CEO:

APPLICANT INFORMATION (MUST BE 21 OR OVER)

NAME (LAST, FIRST, MIDDLE, MAIDEN) PEITHMAN, DIANA LYNN	SEX F M	SOCIAL SECURITY NUMBER	DATE OF BIRTH	PLACE OF BIRTH LINCOLN, NE
HOME STREET ADDRESS 917 ELMWOOD AVE.	CITY LINCOLN	COUNTY LANCASTER	STATE NE	ZIP CODE 68510
HOME TELEPHONE NUMBER (402) 742-5846	BUSINESS TELEPHONE NUMBER (402) 474-2394		DRIVERS LICENSE NUMBER & STATE	

SPOUSE'S INFORMATION (IF NOT MARRIED INDICATE)

FULL NAME (LAST, FIRST, MIDDLE, MAIDEN) VANNOSTRA, DAVID LEE	SOCIAL SECURITY NUMBER	DRIVERS LICENSE NUMBER & STATE
DATE OF BIRTH:	PLACE OF BIRTH OKLAHOMA CITY OK	

1. READ CAREFULLY. Answer completely and accurately.

Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☒ Yes ☐ No

1992 - Deaton County - Forgery - DAVID VANNOSTRA (Signing non-participation)

2. Have you or your spouse ever made application for any liquor license or manager for any liquor license? IF YES, for what premise give license number and date.

☐ YES ☒ NO

3. Have you or your spouse ever made a compromise settlement for violation of such laws?

☐ YES ☒ NO

4. Do you, as a manager, have all the qualifications required by any person entitled to hold a Nebraska Liquor License?
Nebraska Liquor Control Act (§53-131.01)

☒ YES ☐ NO

5. Have you filed fingerprint cards and **PROPER FEES** (if check, make out to the NE State Patrol), with this application?

☒ YES ☐ NO

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE		YEAR		SPOUSE: CITY & STATE	
		FROM	TO		
DIANA L. PEITHMAN				DAVID VAN COTTEN	
917 ELMWOOD AVE, LINCOLN, NE		1999	CURRENT		
5100 VERDE VALLEY, # 146, DALLAS, TX		1995	1999		
19251 PRESTON RD, # 2005, DALLAS, TX		1993	1995		
1426 FORT O'CALL DR., DALLAS, TX		1987	1992		

EMPLOYERS - LIST LAST TWO EMPLOYERS				
YEAR		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
FROM	TO			
10/2001	CURRENT	DIANA SOURCE	SELF	(402) 742-6163
12/2000	9/2001	UNIVERSE	PETE TOMPKINS	

PERSONAL OATH AND CONSENT OF INVESTIGATION - MUST BE SIGNED BY APPLICANT & SPOUSE

STATE OF NEBRASKA)

) SS

COUNTY OF)

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application, that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec. §53-131.01) Nebraska Liquor Control Act.

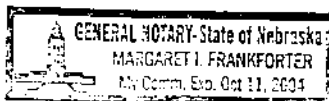
The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, an affidavit of non participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and inaccurate.

Diana Peithman, PLO DLP, INC
Signature of Applicant

Subscribed in my presence and sworn to before me this 18th
day of October 2002

Margaret J. Frankforter
Notary Signature & Seal



Signature of Spouse (if applicable)

Subscribed in my presence and sworn to before me this _____
day of _____

Notary Signature & Seal

ARTICLES OF INCORPORATION
OF
DLP, INC.

The undersigned person of legal age, acting as incorporator under the Nebraska Business Corporation Act, adopts the following Articles of Incorporation:

ARTICLE I. NAME

The name of the Corporation is DLP, Inc.

ARTICLE II. DURATION

The Duration of the Corporation is perpetual.

ARTICLE III. PURPOSES

The corporation is organized to transact any or all lawful act or activity for which corporations may be incorporated under the Nebraska Business Corporation Act, as amended from time to time.

ARTICLE IV. POWERS

The corporation shall have and may exercise all powers and rights (1) conferred upon corporations by the Nebraska Business Corporation Act as amended from time to time; (2) not otherwise denied corporations by the laws of the state of Nebraska; and (3) necessary, suitable, proper, convenient or expedient to attainment of the purposes set forth in Article III.

ARTICLE V. AUTHORIZED SHARES

The corporation is authorized to issue Five Hundred Thousand (500,000) shares of Common Stock of a par value of One Cent (\$.01) each.

ARTICLE VI. BY-LAWS

The shareholders shall adopt by-laws for the management of the corporation, which by-laws may be amended as provided therein.

ARTICLE VII. REGISTERED AGENT

The street address of the initial registered office of the corporation is 1024 "K" St., Lincoln, Nebraska 68508 and the name of the initial registered agent at such address is John Rouse.

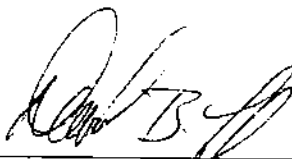
ARTICLE VIII.

The name and address of the sole incorporator is:

David B. Liegl

233 So. 84th St., Suite 218
Lincoln, Nebraska 68510

Dated this 30th day of September, 2002.



David B. Liegl

October 17, 2002

#1

Denton County is located in Texas.

I, Dora Peithran, am in the process of filing for divorce from David Vannostan.

As soon as my divorce is final, I will give copies of all paperwork to the liquor commission so he can be removed and no longer associated with me or anything I do.

David Vannostan is currently living in Oklahoma City, Ok.

Dora Peithran

October 17, 2002

The purchase agreement signed and notarized on Oct 17, 2002 between Sammy, Inc. and Diana Peithman is in fact between Sammy, Inc. and DLP, Inc.

I Diana Peithman assign over the purchase agreement between Sammy, Inc and myself to my corporation DLP, INC.

Diana Peithman, Pres. DLP, INC.

RECEIVED

001

PURCHASE AGREEMENT

NEBRASKA
CONTROL COMMISSION

AGREEMENT OF PURCHASE AND SALE is made and entered into this 17 day of October, 2002, by and between Tammy Inc., a Nebraska Corporation, and Sharon Elder, President, (hereinafter "Seller"), and Diona Peithman (hereinafter "Buyer").

RECITALS

1. Seller is currently a Nebraska Corporation known as Tammy Inc. The nature of the business of Tammy Inc. is a bar/restaurant establishment, located in Lincoln, Lancaster County, Nebraska, at 105 So. 25th Street.
2. Buyer desires to purchase the physical assets of the business known as Tammy Inc. but does not desire to purchase the corporation. The parties acknowledge that the buyer desires that this will be an "asset only" purchase and that Buyer shall not assume responsibility for any debt or entitlement to income relating to the business known as Tammy Inc.

IT IS THEREFORE AGREED AS FOLLOWS:

1. Subject to the terms and conditions of this Agreement and in reliance on the representations and warranties contained herein, Seller hereby agrees to sell, grant, convey, transfer and assign to Buyer, and Buyer agrees to purchase, acquire, take and accept from Seller, all the personal and other property used by Seller in the bar/restaurant establishment known as Tammy Inc. A complete list of personal property to be sold is attached hereto and made a part hereof as if fully set forth.
2. Sale of the assets of the property shall include the sale of the trade names "Tammy's" and "Tam O'Shanter".
3. Buyer may continue the business at the location of the current establishment provided, however, it will be Buyer's obligation to negotiate a new lease with the owner of the subject real property. Buyer shall not have a right to any of the revenues earned by Seller prior to the date of the sale.
4. Buyer does not assume or agree to assume and shall not acquire or take on any accounts payable or the liabilities of any kind or nature incurred by the Seller prior to the closing date of this Agreement, said obligations to remain the liability of the Seller.
5. Seller shall retain all accounts receivable, if any, and will not assign the same to Buyer at the time of closing.

6. Buyer is not purchasing the common stock of Tammy Inc. and no provision in this Agreement shall be construed to provide otherwise.

7. Possession of the business assets to be conveyed hereunder shall be delivered to the Buyer at the date of closing.

8. The risk of loss of all business assets shall remain with the Seller until date of closing. If any damage or destruction occurs with respect to the business assets prior to the date of closing, Buyer shall have the right to either receive any proceeds of insurance payable in connection with such damage or destruction or to reduce the purchase price provided for herein as may be agreed upon by the parties.

9. The total purchase price for the business assets shall be the sum of \$1,100.00. Payment shall be cash payment, in full, at the time of closing.

10. Closing of this sale shall be subject to approval of the United States Bankruptcy Court and proceeds shall be disbursed through the Court. Buyer acknowledges that Seller is currently in bankruptcy and any sale of the subject property requires Bankruptcy Court approval.

11. The closing date of the transaction contemplated by this Agreement shall be at such time and place as the Buyer and Seller may mutually agree, but not later than September 30, 2002, time being of the essence herein.


12. On the closing date, Seller shall execute and deliver to Buyer, or cause to be executed and delivered, an assignment and bill of sale transferring all of the personal property of Tammy Inc. Buyer shall receive the property free and clear of all liens and encumbrances and such other documents as shall be reasonably required by Buyer in order to close and consummate the transaction contemplated hereunder.

13. Buyer may not assign this Agreement without the express written consent of the Seller.

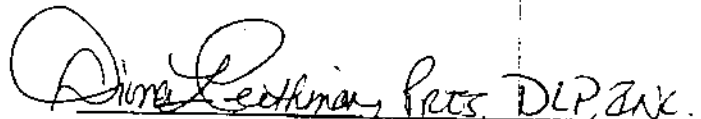
14. The terms and provisions of this Agreement and stipulations contained herein shall be binding upon and inure to the benefit of the parties hereto, and their respective successors and assigns.

15. This Agreement constitutes the entire Agreement between the parties relating to the subject matter hereof and supercedes all prior or contemporaneous agreements and understandings by the parties hereto.

DATED: October 17, 2002

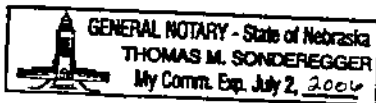

Tammy Inc., by Sharon Elder,
President, Seller

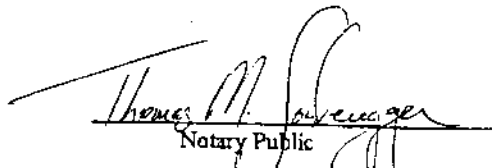
DATED: October 17, 2002


Diona Peithman, Buyer
Pres. DLP, INC.

STATE OF NEBRASKA)
COUNTY OF LANCASTER) ss

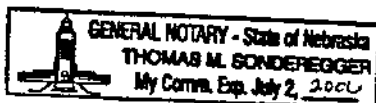
Now on this _____ day of _____, 2002, there personally appeared before me Sharon Elder, known to me to be the identical person who executed the foregoing Purchase Agreement, and she acknowledges same to be her voluntary act and deed.

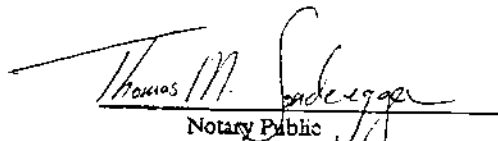



Notary Public

STATE OF NEBRASKA)
COUNTY OF LANCASTER) ss

Now on this 18th day of October, 2002, there personally appeared before me Diona Peithman, known to me to be the identical person who executed the foregoing Purchase Agreement, and she acknowledges same to be her voluntary act and deed.




Notary Public

RENTAL AGREEMENT

Notice: This is a legally binding contract. If not understood, consult a lawyer.

This agreement is between Kim E. Elder and OLP INC (Diana Perthman President)
Landlord Tenant (whether one or more)

Landlord agrees to deliver possession of the following described premises to wit:
Commercial Bldg Corner 105 So 25th Lincoln NE 68510
Description Address

The term of this lease is from 11-1-02 to 10-31-03. At the expiration of this term, the lease will convert to a month to month tenancy which may be terminated upon written notice 30 days from (but not prior to) the first of the following month.

Utilities and services will be provided as follows:

Electricity to be paid by:	<input checked="" type="checkbox"/> TENANT	<input type="checkbox"/> LANDLORD	<input type="checkbox"/> N/A
Gas to be paid by:	<input checked="" type="checkbox"/> TENANT	<input type="checkbox"/> LANDLORD	<input type="checkbox"/> N/A
Water to be paid by:	<input checked="" type="checkbox"/> TENANT	<input type="checkbox"/> LANDLORD	<input type="checkbox"/> N/A
Trash to be paid by:	<input checked="" type="checkbox"/> TENANT	<input type="checkbox"/> LANDLORD	<input type="checkbox"/> N/A
Snow to be removed by:	<input checked="" type="checkbox"/> TENANT	<input type="checkbox"/> LANDLORD	<input type="checkbox"/> N/A
Lawn to be mowed by:	<input checked="" type="checkbox"/> TENANT	<input type="checkbox"/> LANDLORD	<input type="checkbox"/> N/A

Rent you pay is 2050.00 per month

Rent is to be paid to Kim E. Elder at 3111 'O' Street, Lincoln, NE, 68510.

Rent must be received by the 1st of each month. A late charge of \$10.00 per month will be assessed for any rent that is 5 days overdue and a charge of \$2.00 per day starting the 6th day. There will be a \$15.00 charge for an insufficient fund check.

A service charge of \$5.00 will be made for letting a tenant in who has locked himself/herself out.

Service calls due to tenants carelessness (toilets, sinks clogging, etc) will be paid by the tenant.

Pets: none allowed Description: NONE

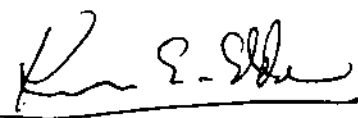
This contract can be canceled by written notice and the tenant agrees to forfeit their deposit and vacate the premises in 72 hours for the following reason or reasons:

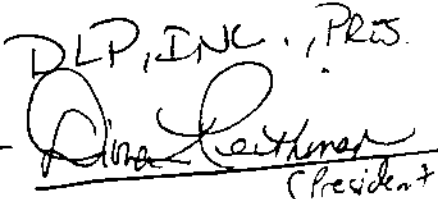
- A. Rent over 10 days late.
- B. Creation of a nuisance by having loud parties, causing complaints from other tenants or neighbors.
- C. Bringing unauthorized pets on the premises.
- D. Caused damage to property or allowed guests to cause damage.
- E. Property occupied by unauthorized person.

CONTINUED....

Addendum to Lease for 105 So. 25, Lincoln, NE 68502

- 1.) Tenant is to provide landlord with proof of fire insurance naming landlord as beneficiary.
- 2.) Tenant is to provide landlord with proof of Liability Insurance amount face \$1,000,000 -
- 3.) Tenant is responsible for service of Heat & A.C., Plumbing and all utilities.
- 4.) Tenant responsible for snow removal & weed control
- 5.) Tenant will negotiate their own rent for any other parking not on premises.
- 6.) Tenant will not sublet premises without permission in writing from landlord.
- 7.) Tenant will conduct business in a legal manner, Abide by all state and city and Federal Laws.
- 8.) Late fee is 5% of monthly rent, if rent is paid after 5th of month and a charge of \$10.00/day that rent is late
- 9.) Lease is on a year to year basis, rent will be negotiated on each anniversary.

Landlord 
10-15-02

Tenant 
DLP, INC., PRES.
(President)
10-15-02

TAM 05/11/02

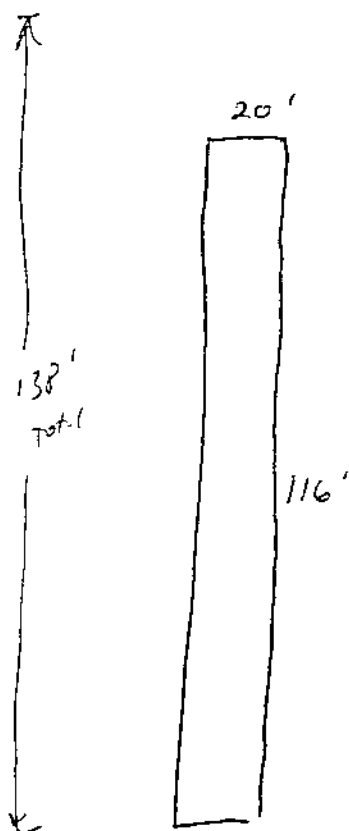
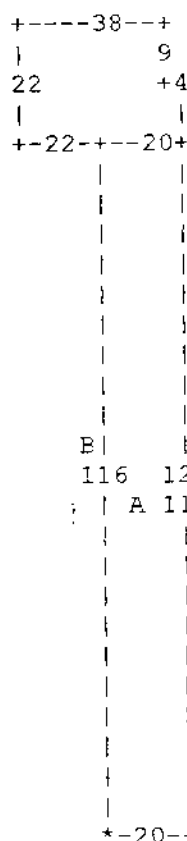
Commercial Refinements:

Description	Unit	Measr-1	Measr-2	Measr-3
-------------	------	---------	---------	---------

Building Sketch: 01

BUILDING SKETCH

Plus Basement



* BASEMENT	Square Feet:	2320
A COM 1ST FLOOR	Square Feet:	3208

Premise Diagram

Treasurer's Information

County Assessor Property Information